

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

AUG 20 2015

for the

Southern District of Texas

David J. Bradley, Clerk of Court

United States of America

v.

JOHN HEARN NOLLIE

Case No.

H15-1188M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 19, 2015 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 USC section 2113 (a)

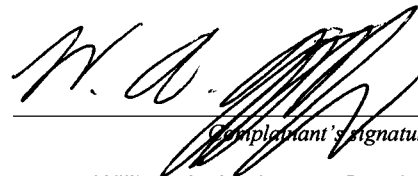
Offense Description

Bank Robbery

This criminal complaint is based on these facts:

see attached affidavit

☒ Continued on the attached sheet.



Complainant's signature

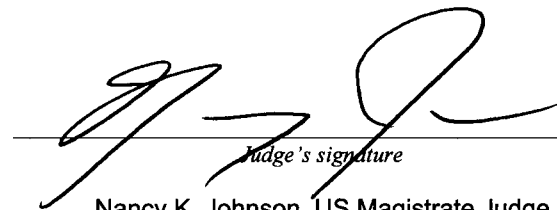
William A. Applegate, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 8-20-15

City and state: Houston, Texas



Judge's signature

Nancy K. Johnson, US Magistrate Judge

Printed name and title

AFFIDAVIT


I, William A. Applegate (hereafter Affiant), being duly sworn, do hereby depose and state:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the FBI, Violent Crimes Task Force (VCTF), which is comprised of Agents from the FBI, Officers from the Houston Police Department (HPD), and Deputies from the Harris County Sheriff's Office (HCSO). I have been a Special Agent with the FBI for approximately five years. The facts contained in the affidavit are based upon information provided to me by other law enforcement officers, other witnesses, and my own personal knowledge. Since this affidavit is made for the limited purpose of supporting a criminal complaint, I have not set forth each and every fact learned during the course of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the crime charged. Unless otherwise indicated, where actions, conversations, and statements of others are related herein, they are related in substance and in part only.
2. Based on the facts and circumstances outlined below, there is probable cause to believe that JOHN HEARN NOLLIE, DOB: 08/24/1974, did knowingly and willfully commit an offence against the United States, to wit: Bank Robbery, in violation of 18 U.S.C. Section 2113(a).
3. On August 19, 2015, at approximately 3:00 PM, investigation revealed a suspect entered the Woodforest National Bank, located in a Walmart at 4810 Highway 6 North, Houston, Texas, hereinafter bank, insured by FDIC, and demanded the bank teller give him money. The suspect stole \$1,044.00 in United States currency and then fled the bank location. Witnesses inside the bank stated the subject was a black male. Video surveillance recorded the suspect entering the lobby of the bank and taking money from the teller.
4. A bank employee stated the subject entered the lobby area and told the victim teller he needed change for a twenty dollar bill and that he wanted to pay a bill. The teller asked the subject if he was going to pay via Western Union bill, to which the subject stated he was going to pay with his debit card. The victim teller then instructed the subject to go to Walmart's Customer Service Department to make the payment.
5. The subject then stated he wanted four five dollar bills for his twenty dollar bill, which he placed on top of the teller counter. Once the victim teller opened the drawer to conduct make the transaction, the subject stated, "OK now I want you to give me all your money". The witness, along with the two other bank employees, thought he was joking, at which time the subject stated, "Hurry up give me all your money". The subject then instructed the two other tellers, "I need you two to stand behind her [victim teller]. The victim teller gave money from her top drawer, which included twenties, tens, fives, and one dollar bills in U.S. Currency. The subject then instructed the victim teller to give him his twenty dollar bill back to him, which she did. The subject folded the loose bills and told all three

bank employees to go back into the vault room. Once all employees were back in the vault room, the subject exited the Walmart.

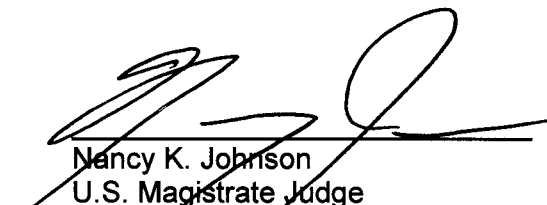
6. The victim teller thought the subject had weapon because he moved around and was "very fidgety" and he was very threatening in his demeanor. The subject told her, "Give me all your money" in a very threatening tone and had an aggressive posture. The subject also ordered the other two employees to move behind the victim teller so that he can keep an eye on them.
7. Investigative activity led law enforcement to find the subject and his vehicle, a white-in-color 2006 BMW 325i four-door sedan with Texas license plate DZS 9296, at a business located on 6135 Cunningham Road, Houston, Texas. A cordon was established around the business where the BMW was parked. The subject was arrested on foot while trying to elude law enforcement behind a business. There was a lump of loose U.S. Currency stashed in a mobile outdoor lavatory (Porta-Potty), which was about 20 feet from where the subject was apprehended. There was another lump of loose U.S. Currency located in bushes, at the business, about five feet from where the subject was apprehended. The key to the BMW was on the subject's person.
8. A live lineup was conducted at the Woodforest National Bank located on 4810 Highway 6 North, where all three victims positively identified NOLLIE as the bank robber. Pictures from the bank's surveillance footage revealed the subject who robbed the bank was NOLLIE. The pictures also revealed the robber had the same clothes on (white t-shirt, black shorts, and black shoes) as when NOLLIE was arrested.
9. The subject was identified as JOHN HEARN NOLLIE.
10. Before the conduct of the robbery, FBI Violent Crimes Task Force Officer (VCTF) James Dousay, Harris County Sheriff's Office (HCSO), was contacted by the Watch Command. The Watch Command stated that First Convenience Bank, located inside a Kroger at 6350 N. Eldridge, Houston, Texas, contacted Precinct Five Constables about a black male who was in possibly casing the bank. Employees recognized the black male from a First Convenience Bank BOLO report regarding previous robberies. Members of the VCTF talked with the assistant manager of the Kroger told you that a black male who departed the Kroger in a white BMW 300 Series sedan. The branch manager at the First Convenience provided the VCTF with photos of NOLLIE from June 03, 2015 robbery of First Convenience Bank located on 14710 Woodforest Boulevard, Houston, Texas.
11. The Woodforest Bank located at 4810 Highway 6 North is about four miles away from the First Convenience Bank located at 6350 N. Eldridge, according to Google Maps.
12. Based on the foregoing, I believe there is probable cause that on August 19, 2015, JOHN HEARN NOLLIE, did by intimidation, takes, or attempts to take, from the person or presence of another, or obtains or attempts to obtain by extortion any property or

money or any other thing of value belonging to, or in the care, custody, control, management, or possession of the Woodforest National Bank, insured by FDIC.



William A. Applegate
Special Agent, FBI

SWORN AND SUBSCRIBED before me on this 20th day of August, 2015, and I find probable cause.



Nancy K. Johnson
U.S. Magistrate Judge
Southern District of Texas